

TEXAS TRANSPORTATION COMMISSION

EL PASO County

MINUTE ORDER

Page 1 of 1

EL PASO District

In El Paso, El Paso County, on SL 375, Border West Expressway, the State of Texas acquired certain land for highway purposes by an instrument recorded in Document No. 20140024763 of the Official Public Records of El Paso County, Texas.

An easement on a portion of the land, as described in Exhibit A (the tract), is no longer needed for a state highway purpose.

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (the commission) may recommend that the governor execute a deed exchanging an interest in real property acquired but not needed for a highway purpose as whole or partial consideration for another interest in real property needed for a state highway purpose.


The State of Texas and the City of El Paso, on behalf of the El Paso Water Utilities-Public Service Board, have entered into an exchange agreement whereby the state will be exchanging an interest in real property acquired but not needed for a highway purpose as partial consideration for another interest in real property needed for a state highway purpose. As part of the agreement, the State of Texas and the City of El Paso, on behalf of the El Paso Water Utilities-Public Service Board, are exchanging an easement on the tract for an easement on the parcel needed for a state highway purpose, respectively.

The easement on the tract has been appraised at \$4,277.

The commission finds \$4,277 to be a fair and reasonable value of the state's right, title, and interest in the easement on the tract.

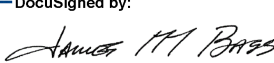
IT IS THEREFORE ORDERED by the commission that the easement on the tract is no longer needed for a state highway purpose. The commission recommends, subject to approval by the attorney general, that the governor of Texas execute a proper instrument conveying all of the state's right, title, and interest in the easement on the tract to the City of El Paso, on behalf of the El Paso Water Utilities-Public Service Board, in accordance with the terms of the exchange agreement.

Submitted and reviewed by:

DocuSigned by:  
  
BDEF0413AC9E4EC...

Director, Right of Way Division

Recommended by:

DocuSigned by:  
  
A36629BA547D4BD...

Executive Director

115732 APR 30 2020

Minute	Date
Number	Passed

**EXHIBIT A**

**County:** El Paso  
**Highway:** State Loop 375, Border West Expressway  
**Limits:** From: Race Track Drive  
To: U.S. 54  
**RCSJ:** 2552-04-041  
**CSJ:** 2552-04-027

**PROPERTY DESCRIPTION FOR WATER AND SEWER  
EASEMENT FROM THE STATE OF TEXAS TO THE CITY OF EL PASO**

**PART 1 (From: 192+60.74, To: 193+94.69)**

Being an 0.1372 of one acre tract (5,977 square feet) parcel of land situated in the Cresencio Morago Survey Number 114, Abstract No. 2679 (Also known as Cresencio Morego Survey No. 114), El Paso County, Texas, and being out of a called 28.4211 acre tract described as Parcel 1, Part 2 in a Special Warranty Deed of conveyance to The State of Texas, acting by and through the Texas Transportation Commission (TxDOT) and recorded in Document Number 20140024763 of the Official Records of El Paso County, Texas (O.R.E.P.C.TX.), said 0.1372 of one acre easement being more particularly described by metes and bounds as follows:

**COMMENCING** at a found hexagonal iron rod in concrete for the north corner of Tract 6 described in Warranty Deed to Rex B. Smith and wife, Mary H. Smith, as recorded in Volume 469, Page 0810 of the Deed Records of El Paso County, Texas (D.R.E.P.C.TX.), and that called 3.941 acre tract (also known as Tract 6) according to a resurvey made for tax purposes described in Deed of Trust, Security Agreement and Financing Statement, as recorded in Document Number 20060121168, Official Public Records of Real Property of El Paso County, Texas (O.P.R.R.P.E.P.C.TX.), and an interior "ell" corner of said 28.4211 acre tract;

**THENCE**, South 48°55'02" West, with the northwest line of said 3.941 acre tract and an interior northwest line of said called 28.4211 acre tract, a distance of 182.12 feet to a calculated point at 244.54 feet left of State Loop 375 Right of Way Baseline Station 193+90.06 for corner having surface coordinates of N= 10,675,983.48 and E= 369,776.55 for the **POINT OF BEGINNING**, said point being the most easterly corner of said 0.1372 acre tract;

1. **THENCE**, South 48°55'02" West, continuing with the northwest line of said 3.941 acre tract and an interior northwest line of said called 28.4211 acre tract, a distance of 40.37 feet to a 5/8-inch iron rod with TxDOT cap set at 204.41 feet left of State Loop 375 right of Way Baseline Station 193+94.69 on the proposed north right of way line and Access Denial Line of State Loop 375, Border West Expressway for corner;\*\*

EXHIBIT A

2. **THENCE**, North 53°35'44" West, over and across said 28.4211 acre tract with the proposed north right of way line and Access Denial Line of State Loop 375, Border West Expressway, a distance of 137.41 feet to a 5/8-inch iron rod with TxDOT cap set at 158.55 feet left of State Loop 375 Right of Way Baseline Station 192+60.74 to the end of said proposed north right of way line and Access Denial Line of State Loop 375, Border West Expressway, same being on the south corner of Lot 31 of the Sundown Addition as recorded in Book 12, Page 44 of the Plat Records of El Paso County, Texas (P.R.E.P.C.TX.), same Lot being part of a City of El Paso tract conveyed in deed as all of Lot 30 and Lot 31 of said Sundown Addition, said City of El Paso tract being recorded in Volume 1386, Page 261, D.R.E.P.C.TX., same being the west corner of said 28.4211 acre tract and on the existing north right of way line of US Highway 85 (CSJ 2121-7-2&3) for corner, from which a 1/2-inch iron rod with cap found bears North 64°45' East a distance of 2.5 feet;\*\*
3. **THENCE**, North 62°01'21" East, with the southeast line of said Lot 31 and the interior west line of said 28.4211 acre tract, passing at a distance of 50.00 feet to the common line of said Lot 30 and said Lot 31, in all, a total distance of 58.28 feet to a point for corner and the beginning of a non-tangent curve to the left;
4. **THENCE**, in a southeasterly direction with said curve, over and across said 28.4211 acre tract, through a central angle of 03°25'59", having a radius of 2,030.81 feet, an arc length of 121.69 feet and a chord that bears South 47°23'47" East, a chord distance of 121.67 feet to the **POINT OF BEGINNING** and containing 0.1372 of one acre (5,977 square feet) of land.

**PART 2** (From: 200+56.79, To: 203+83.90)

Being a 0.3538 of one acre (15,411 square feet) parcel of land situated in the Christian Schertz Survey Number 106, Abstract Number 2692, El Paso County, Texas, and being part of that called 335.6035 acre tract (also known as Parcel 1, Part 3) as conveyed to The State of Texas by and through the Texas Transportation Commission (TxDOT) recorded in Document Number 20140024763 of the Official Records of El Paso County, Texas (O.R.E.P.C.TX.), said 0.3538 of one acre easement being more particularly described by metes and bounds as follows:

**COMMENCING** at a found 5/8-inch iron rod at the east corner of Tract 6 described in Warranty Deed to Rex B. Smith and wife, Mary H. Smith, as recorded in Volume 469, Page 0810, of the Deed Records of El Paso County, Texas (D.R.E.P.C.TX.), and that called 3.941 acre tract (also known as Tract 6) according to a resurvey made for tax purposes described in Deed of Trust, Security Agreement and Financing Statement, as recorded in Document Number 20060121168, Official Public Records of Real Property of El Paso County, Texas (O.P.R.R.P.E.P.C.TX.), on an exterior "ell" corner of that called 28.4211 acre tract described as Parcel 1, Part 2 in Special Warranty Deed conveyed to The State of Texas, acting by and through the Texas Transportation Commission (TxDOT), as recorded in Document Number 20140024763, O.R.E.P.C.TX., in the westerly line of that called 10.715 acre tract (also known as Tract 4) described in Warranty Deed with Vendor's Lien conveyed to Rex B. Smith, as recorded in Volume 729, Page 1204 (D.R.E.P.C.TX.);

EXHIBIT A

**THENCE**, South 48°47'02" West, with the southeast line of said 3.941 acre tract and with the northwest line of said 10.715 acre tract, a distance of 83.68 feet to a 5/8-inch iron rod with TxDOT cap set at 376.22 feet left of State Loop 375 Right of Way Baseline Station 198+61.12 at the intersection of the southeast line of said 3.941 acre tract and the northwest line of said 10.715 acre tract with the proposed northerly right of way line and Access Denial Line of State Loop 375, Border West Expressway;\*\*

**THENCE**, South 63°38'38" East, departing the southeast line of said 3.941 acre tract and the northwest line of said 10.715 acre tract, over and across said 10.715 acre tract, with the proposed northerly right of way line of said State Loop 375, Border West Expressway and with said proposed Access Denial Line, a distance of 216.37 feet to a 5/8-inch iron rod with TxDOT cap set at 468.55 feet left of State Loop 375 Right of Way Baseline Station 200+56.79 having surface coordinates of N= 10,675,605.70 and E= 370,348.06 for the **POINT OF BEGINNING** at the intersection the proposed northerly right of way line and said Access Denial Line of said State Loop 375, Border West Expressway with the southeast line of said 10.715 acre tract and the northwest line of said called 335.6035 acre tract; \*\*

1. **THENCE**, North 48°47'02" East, departing said proposed north right of way line and said Access Denial Line, along the common line of the southeast line of said called 10.715 acre tract and the northwest line of said called 335.6035 acre tract, a distance of 42.13 feet to a point for corner;
2. **THENCE**, South 59°28'05" East, over and across said 335.6035 acre tract, a distance of 300.04 feet to a point for corner;
3. **THENCE**, South 16°05'36" East, continuing over and across said 335.6035 acre tract, a distance of 53.22 feet to a calculated point on the existing north right of way line and Access Denial Line of State Loop 375, Border West Expressway at 598.39 feet left of State Loop 375 Right of Way Baseline Station 203+83.90 for corner, same being on the northerly line of a called 48.2057 acre tract (also known as Parcel 1, Part 4) as conveyed to The State of Texas by and through the Texas Transportation Commission (TxDOT) in Document Number 20140024763, O.R.E.P.C.TX. and the southerly line of said called 335.6035 acre tract;
4. **THENCE**, North 68°41'28" West, along the existing north right of way line and Access Denial Line of State Loop 375, Border West Expressway, the southerly line of said called 335.6035 acre tract and the northerly line of said called 48.2057 acre tract, a distance of 133.97 feet to a 5/8-inch iron rod with TxDOT cap set at 530.78 feet left of State Loop 375 Right of Way Baseline Station 202+68.25 for corner and the beginning of the proposed right of way line and Access Denial Line of State Loop 375, Border West Expressway, same being the beginning of a non-tangent curve to the left;\*\*
5. **THENCE**, in a northwesterly direction with said curve, along the proposed right of way line and Access Denial Line of State Loop 375, Border West Expressway, through a central angle of 09°01'26", having a radius of 1,401.00 feet, an arc distance of 220.65 feet, a chord that bears North 54°46'51" West and a chord distance of 220.42 feet to the **POINT OF BEGINNING** and containing 0.3538 of one acre (15,411 square feet) of land.

As of November 10, 2016

EXHIBIT A

\*The acreage calculated and shown hereon is converted from the square footage shown hereon, and is for informational purposes only.

\*\* This monument may be replaced by a Texas Department of Transportation (TxDOT) Type II right of way marker upon the completion of the highway construction project under the supervision of a RPLS either employed or retained by TxDOT.

This property description is accompanied by a plat of even date.

All bearings and coordinates shown are based on NAD83 (1993 Adjustment) Texas State Plane Coordinate System, Central Zone. All coordinates and distances shown are surface and may be converted to grid by dividing by a surface adjustment factor of 1.000231. Project is located in UTM Zone 13.

THE STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF EL PASO

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That I, John David Kenney, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision in the month of April.

WITNESS MY HAND AND SEAL at Spring, Harris County, Texas this the 10<sup>th</sup> day of November, 2016.

RODS Surveying, Inc.  
6810 Lee Road, Ste. 100  
Spring, Texas 77379  
TBPLS Firm No. 10030700



*John David Kenney*

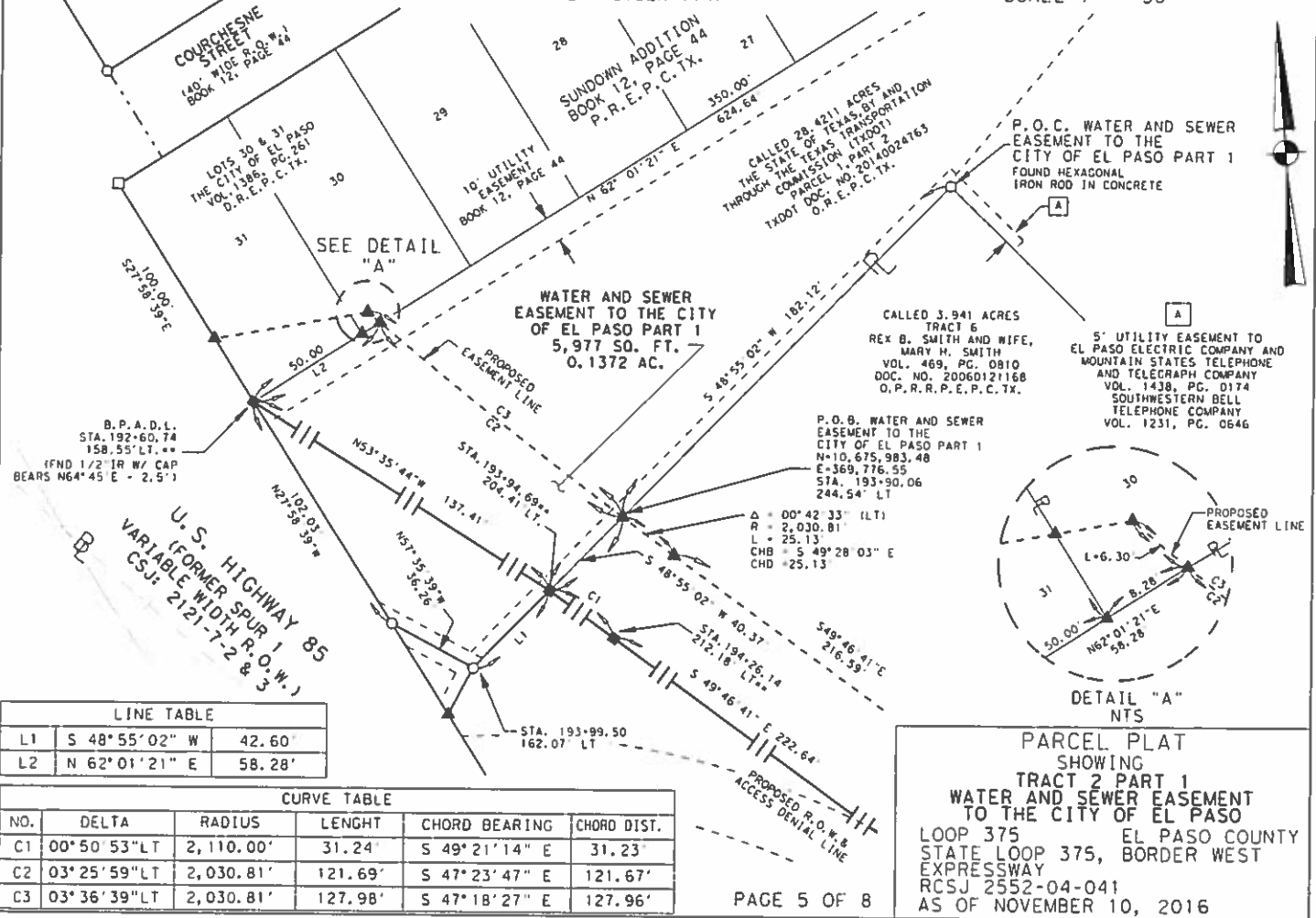
John David Kenney  
Registered Professional Land Surveyor No. 2080  
State of Texas

As of November 10, 2016

EXHIBIT A

CRESCENCIO MORAGO SURVEY NUMBER 114  
ABSTRACT NUMBER 2679  
(ALSO KNOWN AS CRESCENCIO  
MOREGO SURVEY NUMBER 114)

0' 50' 100' 150'  
SCALE 1" = 50'



LINE TABLE

L1	S 48°55'02" W	42.60'
L2	N 62°01'21" E	58.28'

CURVE TABLE

NO.	DELTA	RADIUS	LENGHT	CHORD BEARING	CHORD DIST.
C1	00°50'53" LT	2,110.00'	31.24'	S 49°21'14" E	31.23'
C2	03°25'59" LT	2,030.81'	121.69'	S 47°23'47" E	121.67'
C3	03°36'39" LT	2,030.81'	127.98'	S 47°18'27" E	127.96'

# EXHIBIT A

0' 100' 200' 300'

SCALE 1" = 100'

CHRISTIAN SCHERTZ  
SURVEY NUMBER 106  
ABSTRACT NUMBER 2692

CRESCENCIO MORAGO SURVEY NUMBER 114  
ABSTRACT NUMBER 2679  
(ALSO KNOWN AS CRESCENCIO  
MORAGO SURVEY NUMBER 114)  
CALLED 3.941 ACRES  
TRACT 6  
REX B. SMITH AND WIFE,  
MARY H. SMITH  
VOL. 469, PG. 0810  
DOC. NO. 20060121168  
O.P.R.R.P.E.P.C.TX.

CALLED 28.4211 ACRES  
THE STATE OF TEXAS, BY AND  
THROUGH THE TEXAS TRANSPORTATION  
COMMISSION (TXDOT)  
PARCEL 1, PART 2  
TXDOT DOC. NO. 20140024763  
O.R.E.P.C.TX.

A. COURCHESNE  
SURVEY NUMBER 204  
ABSTRACT NUMBER 6152  
(ALSO KNOWN AS  
NESTOR BORUNDA SURVEY)

① CALLED 0.0365 ACRES  
10 FEET WIDE P.S.B.  
PERMANENT UTILITY EASEMENT  
TO CITY OF EL PASO  
DOC. NO. 20100085422  
O.P.R.R.P.E.P.C.TX.

② CALLED 26,296 SQUARE FEET  
40 FEET WIDE  
PERMANENT EASEMENT  
TO CITY OF EL PASO  
VOL. 2557, PG. 1405  
O.P.R.R.P.E.P.C.TX.

③ CALLED 335.6035 ACRES  
THE STATE OF TEXAS, BY AND  
THROUGH THE TEXAS TRANSPORTATION  
COMMISSION (TXDOT)  
PARCEL 1, PART 3  
TXDOT DOC. NO. 20140024763  
O.R.E.P.C.TX.

STATE LOOP 375  
RIGHT OF WAY BASELINE  
PI STA = 191+18.27  
N = 10,676,054.68  
E = 369,394.71  
D = 12°59'24"  
R = 5,500.00  
L = 1,248.95  
CHB = 5'31"53'13" E  
CHD = 1,244.28  
PC STA = 184+92.11  
PT STA = 197+39.06

PARCEL PLAT  
SHOWING  
TRACT 2 PART 2  
WATER AND SEWER EASEMENT  
TO THE CITY OF EL PASO  
LOOP 375 EL PASO COUNTY  
STATE LOOP 375, BORDER WEST  
EXPRESSWAY  
RCSJ 2552-04-041  
AS OF NOVEMBER 10, 2016

PAGE 6 OF 8

CURVE TABLE				
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING
C1	09°01'26" RT	1,401.00'	220.65'	N 54°46'51" W
				220.42'

LINE TABLE		
L1	L2	
S 48°47'02" W	39.26'	
S 16°05'36" E	53.22'	

# LEGEND

- SET 5/8" IR W/TXDOT CAP
- 5/8" IRON ROD W/TXDOT ALUM DISK FOUND (UNLESS NOTED)
- 5/8" IRON ROD SET WITH "RODS SURVEYING, INC." CAP (UNLESS NOTED)
- 5/8" IRON ROD FOUND (UNLESS NOTED)
- △ CALCULATED POINT
- PROPERTY LINE
- RECORD INFORMATION
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- P.O.R. POINT OF REFERENCE
- P.C. POINT OF CURVATURE
- P.T. POINT OF TANGENCY
- P.I. POINT OF INTERSECTION
- P.R.C. POINT OF REVERSE CURVATURE
- N.T.S. NOT TO SCALE
- R.O.W. RIGHT OF WAY
- C.M. CONTROLLING MONUMENT
- P.L.L. BASELINE/PROPERTY LINE INTERSECTION
- E.A.D.L. EXISTING DENIAL OF ACCESS LINE
- P.A.D.L. PROPOSED DENIAL OF ACCESS LINE
- B.P.A.D.L. BEGIN PROPOSED DENIAL OF ACCESS LINE
- E.P.A.D.L. END PROPOSED DENIAL OF ACCESS LINE
- P.R.E.P.C.TX. PLAT RECORDS OF EL PASO COUNTY, TEXAS
- N.R.E.P.C.TX. NAMED RECORDS OF EL PASO COUNTY, TEXAS
- D.R.E.P.C.TX. DEED RECORDS OF EL PASO COUNTY, TEXAS
- O.R.E.P.C.TX. OFFICIAL RECORDS OF EL PASO COUNTY, TEXAS
- D.P.R.E.P.C.TX. OFFICIAL PUBLIC RECORDS OF EL PASO COUNTY, TEXAS
- O.P.R.E.P.C.TX. OFFICIAL RECORDS OF REAL PROPERTY EL PASO COUNTY, TEXAS
- E.P.C.C.A.D.P.10. EL PASO COUNTY CENTRAL APPRAISAL DISTRICT PROPERTY ID
- TXDOT TEXAS DEPARTMENT OF TRANSPORTATION
- ACCESS DENIAL LINE (A.D.L.)
- DISTANCE NOT TO SCALE
- DEED LINE (COMMON OWNERSHIP)
- EXISTING EASEMENT LINE
- SURVEY LINE

NOTES:  
1. ALL BEARINGS AND COORDINATES SHOWN ARE BASED ON NAD83 (1993 ADJUSTMENT) TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE. ALL COORDINATES AND DISTANCES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A SURFACE ADJUSTMENT FACTOR OF 1.000231. PROJECT IS LOCATED IN UTM ZONE 13.

2. LOOP 375 DESIGN BASELINE ALIGNMENT DERIVED FROM ABRAMS KIEWIT JOINT VENTURE PROJECTWISE IN MDF\_375-ALG01.DGN DATED 02-16-15.

3. LOOP 375 RIGHT-OF-WAY BASELINE ALIGNMENT DERIVED FROM TXDOT APPROVED PLANS OF RIGHT-OF-WAY PROJECT

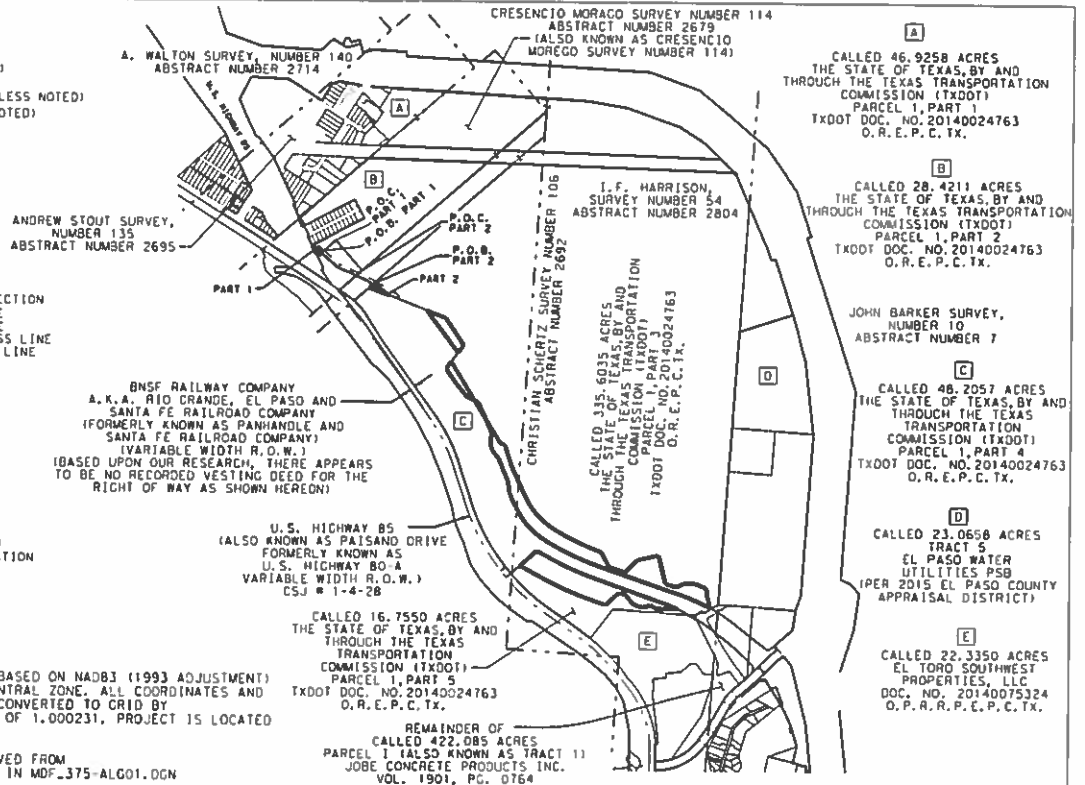
4. THE ACREAGE CALCULATED AND SHOWN HEREON IS CONVERTED FROM THE SQUARE FOOTAGE SHOWN HEREON, AND IS FOR INFORMATIONAL PURPOSES ONLY.

5. VOLUME (VOL.) AND PAGE (PG.) LABELS FOR DEEDS AND EASEMENTS REFER TO THE DEED RECORDS OF EL PASO COUNTY, TEXAS. VOLUME (VOL.) AND PAGE (PG.) LABELS FOR PLATS REFER TO THE PLAT RECORDS OF EL PASO COUNTY, TEXAS. DOCUMENT NUMBER (DOC. NO.) LABELS REFER TO THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF EL PASO COUNTY, TEXAS. (UNLESS OTHERWISE NOTED).

• AREA CALCULATED BY RODS SURVEYING, INC.

• • THE MONUMENT DESCRIBED AND SET MAY BE REPLACED WITH A TXDOT TYPE II RIGHT OF WAY MARKER UPON COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.

## EXHIBIT A



PARENT TRACT INSET  
WATER AND SEWER  
EASEMENT TO THE  
CITY OF EL PASO

**RODS SURVEYING, INC**  
TBPLS FIRM NO. 10030700  
6810 LEE ROAD SPRING, TEXAS 77379  
TEL (281) 257-4020 FAX (281) 257-4021

**PARCEL PLAT**  
SHOWING  
**TRACT 2 PART 1 & 2**  
**WATER AND SEWER EASEMENT**  
**TO THE CITY OF EL PASO**  
LOOP 375 EL PASO COUNTY  
STATE LOOP 375, BORDER WEST  
EXPRESSWAY  
RCSJ 2552-04-041  
AS OF NOVEMBER 10, 2016



## EXHIBIT A

AREA SUMMARY TABLE								
EASEMENT	EXIST ACRES	EXIST SQ. FT	TAKING		REMAINDER		STATIONS	
			ACRES	SQ FT	LEFT	RIGHT	FROM	TO
PART 1	28.4211	1,238,022	0.1372	5,977	0 SF 0 AC	0 SF 0 AC	192+60.74	193+94.69
PART 2	335.6035	14,618,890	0.3538	15,411	0 SF 0 AC	0 SF 0 AC	200+56.79	203+83.90

A PROPERTY DESCRIPTION OF EVEN  
DATE WAS PREPARED IN CONJUNC-  
TION WITH THIS PARCEL PLAT.



I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY  
DIRECTION AND SUPERVISION AND THAT THIS PLAT IS TRUE AND CORRECT TO  
THE BEST OF MY KNOWLEDGE AND BELIEF.

*John David Kenney*  
JOHN DAVID KENNEY  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 2080, STATE OF TEXAS

11/10/2016  
DATE

**RODS SURVEYING, INC**  
TBPLS FIRM NO. 10030700  
6810 LEE ROAD SPRING, TEXAS 77379  
TEL (281) 257-4020 FAX (281) 257-4021

PARCEL PLAT  
SHOWING  
TRACT 2 PART 1 & 2  
WATER AND SEWER EASEMENT  
TO THE CITY OF EL PASO  
LOOP 375 EL PASO COUNTY  
STATE LOOP 375, BORDER WEST  
EXPRESSWAY  
RCSJ 2552-04-041  
AS OF NOVEMBER 10, 2016